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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,697	10/20/2003	Kazuo Kaneko	00862.023288.	2836
5514 7590 05/13/2009 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
PHAM, LINH K				
ART UNIT		PAPER NUMBER		
2174				
MAIL DATE		DELIVERY MODE		
05/13/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/687,697

Applicant(s)

KANEKO ET AL.

Examiner

LINH K. PHAM

Art Unit

2174

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 4, 11-17 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-4, 11-17, and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to the Amendment filed on 02/25/2009.
2. In the Instant Amendment, Claims 2, 5-10, 18, and 20-26 were cancelled; Claims 1, 3, and 16-17 have been amended; Claims 1, 17, and 19 are independent claims. Claims 1, 3-4, 11-17, and 19 have been examined and are pending in this application.

This Action is made FINAL.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Specification

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

5. **Claims 1, 3-4, 11-12, 16-17, and 19 are rejected under 35 U.S.C. 102(b)** as being anticipated by Epler et al., (“Epler” US 6,026,156).

Regarding claim 1, Epler discloses an information processing apparatus comprising:

a manipulation procedure database in which manipulation procedures selectable by a user are described hierarchically (*col. 2, lines 6-49; those skilled in the art will appreciate that commands which are described as being entered at a keypad herein may be implemented by responding instead to voice commands if appropriate voice detection subsystems are added. If desired, a hierarchy of commands may be available for use which correspond to alternatives the caller may select; co. 4, lines 36-62; Fig. 2; col. 8, lines 64-67 to col. 9, lines 1-23; Figs. 4A- 4I; the diagrams show the step used to handle an incoming call from user and system will be processed command, which user selects*);

a voice output unit which outputs candidates as voice information regarding the manipulation procedures one at a time (*col. 10, lines 8-57; Figs. 4B, 4E, 4F, and 4H; wherein at least steps 116-208; system will prompted “main menu” to user after user finishes to enter correctly the pin number; such as system is prompted the menu to user: ‘touch 1 to listen to message’ and ‘allow user to listen to message’*);

a determination unit which determines a designation of the user, wherein, when the user designates a selection between the start of voice information output of one manipulation procedure (*col. 10, lines 54-67 to col. 11, lines 1-14; ; Fig. 4B; wherein at least steps 206, 210 and 216-218; ‘user touches 1? Y/N’, ‘user touches 2? Y/N’; the system allow user to listen,*

delete, or save messages), and the start of the voice information output of a subsequent manipulation procedure, the determination unit determines that the one manipulation procedure is selected by the user (*Fig. 4B-4C; wherein at least steps 206-230 and 300-342; the system will be determined the program, which is corresponded with selected option from a user*); and

a control unit, which, if a manipulation procedure contained in a lower hierarchy than a present hierarchy containing the determined manipulation procedure exists (*col. 11, lines 34-67 to col. 12, lines 1-49; Fig. 4B-4C; wherein at least steps 208, 224, 310, 328, and 336, 'user elects to return to main menu' Y/N; if not, control passes to 212, 228, 314, 332, and 338, if yes, control will go to 'port disconnect'*), controls the voice output unit to output voice information regarding the manipulation procedure contained in the lower hierarchy lower than the present hierarchy (*col. 11, lines 34-67 to col. 12, lines 1-49; Figs. 4B-4C; wherein at least steps 202, 208, 220 and 304*), and which, if a manipulation procedure contained in a lower hierarchy than the present hierarchy does not exist, controls the voice output unit to output voice information regarding a manipulation procedure contained in a top hierarchy different from a top hierarchy of the present hierarchy (*col. 11, lines 34-67 to col. 12, lines 1-49; Fig. 4B-4C; wherein at least steps 206; if a user do not select '1', the control will go to step 216, 'user touches 2'; at step 216, if user do not select '2', the control will go to step 218; wherein at least steps 208, 224, 310, 328, or 336, 'user elects to return to main menu' Y/N; if yes, control to return step 200 'main menu'; Fig. 4I; wherein at lest step 934 and 936; when user invalid PIN code a system go to step 936*).

Regarding claim 3, Epler discloses the information processing apparatus according to claim 1, wherein if the user does not designate a selection, the determination unit determines that the user designates a return to one upper hierarchy than the present hierarchy (*Figs. 4B-4C;*

wherein at least steps 212, 228, 314, or 332 respectively, the control returns to steps 208, 222, 308, or 326), and the control unit selects a default manipulation procedure of the present hierarchy, which is set in advance, moves on to the upper hierarchy and controls the voice output unit to output voice information regarding the selected manipulation procedure (Figs. 4B-4C; the system prompts to user the main menu loop at steps 204-220, which are known as a default manipulation procedure of the present hierarchy; wherein at least step 338, the control returns to step 304, where the user is prompted: "Touch 1 to edit the VIP code screening list, or 2 to edit the caller number screening list").

Regarding claim 4, Epler discloses the information processing apparatus according to claim 1, wherein if the determination unit determines that the user designates a return during a time in which the voice output unit is outputting voice information, the control unit controls the voice output unit to output voice information regarding a manipulation procedure immediately selected before a manipulation procedure corresponding to the voice information being outputted currently (*col. 10, lines 54-67 to col. 11, lines 1-14; Figs. 4B-4C; wherein at least steps 206, 216, 302, and 324, 'user touches 1? Y/N', 'user touches 2? Y/N'*) a return during a time in which the voice output unit is outputting voice information *col. 10, lines 54-67 to col. 11, lines 1-14; Fig. 4B; wherein at least step 208; 'allow user to listen to messages, and delete or save message', 'user touches 1? Y/N', 'user touches 2? Y/N'; wherein at least steps 310-314 and 336-340; 'inactivity timeout, or disconnect detected? Y/N').*

Regarding claim 11, Epler discloses the information processing apparatus according to claim 1, wherein the voice information expresses a manipulation procedure name selectable by

the user (*col. 10, 54-58; Fig. 4B; labeled "Main Menu," control immediately passes to step 202 where the user is prompted: "Hello. You have (number) messages. Touch 1 to listen to messages, 2 to change screening modes, or 3 to edit screening lists"; col. 11, lines 37-40; Fig. 4C; at step 302, then control passes to step 304 where the user is prompted: "Touch 1 to edit the VIP code screening list, or 2 to edit the caller number screening list"*).

Regarding claim 12, Epler teaches the information processing apparatus according to claim 1, further comprising:

a plurality of buttons which are associated with different instructions, respectively, and correspond to a plurality of fingers of the user (*col. 10, lines 8-22; Fig. 4A; col. 10, lines 54-67 to col. 11-33; Fig. 4B-4C; wherein at least the steps 202, 220, and 304; the control will be determined a procedure selected by a user base on the user selected option*); and

a detection unit which detects which of the plurality of buttons is depressed by the user, wherein the determination unit determines a manipulation procedure selected by the user based on the depressed button detected by the detection unit (*lines. 26-39; the command may comprise a number or other code to be entered at the keypad of the second party's telephone; col. 17, lines 4-67 to col. 18, lines 1-15; Figs. 4G and 4H*).

Regarding claim 16, Epler discloses the information processing apparatus according to claim 1, wherein when outputs of voice information regarding manipulation procedures contained in a predetermined hierarchy are finished (*col. 17, lines 3-35; Fig. 4H; If the present caller has not disconnected, then control passes to step 746 where a determination is made as to whether the user disconnected and, if so, then all held callers are advised of this fact by a prompt*

at step 748 advising them "(Name--from database 55) has disconnected) and none of the manipulation procedures is selected (col. 10, lines 16-32; Fig. 4A; steps 118, 120 and 134; "if the correct PIN Code was not entered, then control passes to step 118, where a determination is made as to whether a maximum time limit or a maximum number of PIN Code attempts has been reached. If either maximum limit is reached, then control passes to a connector labeled "Thank You" at step 120"; col. 10, lines 65-67 to col. 12, lines 9; Fig. 4B; steps 210-214 and 228 and 230; col. 10, lines 54-67 to col. 11, lines 1-49; Fig. 4C; 314-316, 318-322, 338-340, and 332-334), the control unit controls the voice output unit to repeatedly output the voice information regarding manipulation procedures contained in the predetermined hierarchy until any manipulation procedure is selected or a transfer to another hierarchy is designated by the user (col. 11, lines 37-40; Figs. 4A-4I; at step 302, then control passes to step 304 and the control will be repeated the prompt to a user: "Touch 1 to edit the VIP code screening list, or 2 to edit the caller number screening list"; the diagrams show the hierarchy of steps to procedure commands from user).

Regarding claim 17, Epler discloses a method of controlling an information processing apparatus, which comprises a manipulation procedure database in which manipulation procedures selectable by a user are described hierarchically (*col. 2, lines 6-49; those skilled in the art will appreciate that commands which are described as being entered at a keypad herein may be implemented by responding instead to voice commands if appropriate voice detection subsystems are added. If desired, a hierarchy of commands may be available for use which correspond to alternatives the caller may select; co. 4, lines 36-62; Fig. 2; col. 8, lines 64-67 to col. 9, lines 1-23; Figs. 4A- 4I; the diagrams show the step used to handle an incoming call from*

user and system will be processed command, which user selects), and a voice output unit outputs candidates as voice information regarding the manipulation procedures one at a time (col. 10, lines 8-57; Figs. 4B, 4E, 4F, and 4H; wherein at least steps 116-208; system will prompted "main menu" to user after user finishes to enter correctly the pin number; such as system is prompted the menu to user: 'touch 1 to listen to message' and 'allow user to listen to message'), the method comprising the steps of:

determining a designation of the user, wherein: when the user designates a selection between the start of voice information output of one manipulation procedure, and the start of the voice information output of a subsequent manipulation procedure, the determining step determines that the one manipulation procedure is selected by the user (col. 10, lines 54-67 to col. 11, lines 1-14; Fig. 4B; wherein at least steps 206, 210 and 216-218; 'user touches 1? Y/N', 'user touches 2? Y/N'; the system allow user to listen, delete, or save messages; Fig. 4B-4C; wherein at least steps 206-230 and 300-342; the system will be determined the program, which is corresponded with selected option from a user);

controlling, if a manipulation procedure contained in a lower hierarchy than a present hierarchy containing the determined manipulation procedure exists (col. 11, lines 34-67 to col. 12, lines 1-49; Fig. 4B-4C; wherein at least steps 208, 224, 310, 328, and 336, 'user elects to return to main menu' Y/N; if not, control passes to 212, 228, 314, 332, and 338, if yes, control will go to 'port disconnect'), the voice output unit to output voice information regarding the manipulation procedure contained in the lower hierarchy (col. 11, lines 34-67 to col. 12, lines 1-49; Figs. 4B-4C; wherein at least steps 202, 208, 220 and 304); and

controlling, if a manipulation procedure contained in a lower hierarchy than the present hierarchy containing the determined manipulation procedure does not exist, the voice output unit to output voice information regarding a manipulation procedure contained in a top hierarchy different from a top hierarchy of the present hierarchy (*col. 11, lines 34-67 to col. 12, lines 1-49; Fig. 4B-4C; wherein at least steps 206; if a user do not select '1', the control will go to step 216, 'user touches 2'; at step 216, if user do not select '2', the control will go to step 218; wherein at least steps 208, 224, 310, 328, or 336, 'user elects to return to main menu' Y/N; if yes, control to return step 200 'main menu'; Fig. 4I; wherein at least step 934 and 936; when user invalid PIN code a system go to step 936*).

Regarding claim 19, claim 17 is similar in scope to claim 17, and is therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

6. **Claims 13-14 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Epler et al., ("Epler", US 6,026,156) in view of Tanaka, (US 2005/0250530).

Regarding claim 13, Epler teaches the information processing apparatus according to claim 12, but does not explicitly disclose the user can depress the plurality of buttons while positions of the plurality of fingers are fixed on the plurality of buttons, respectively.

However, Tanaka teaches an input unit for portable telephone, wherein the user can depress the plurality of buttons while positions of the plurality of fingers are fixed on the plurality of

buttons, respectively (*para. 0038; the function of finger in which each finger of the ten fingers differentiates a plural of keys*).

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Tanaka with the method of Epler in order to provide the function of fingers in which each finger of the ten fingers differentiates a plurality of keys to press the key (*para. 0038*).

Regarding claim 14, Epler teaches the information processing apparatus according to claim 12, but does not explicitly disclose plurality of buttons are allocated to a part of a ten key of the apparatus.

However, Tanaka teaches an input unit for portable telephone, wherein said plurality of buttons are allocated to a part of a ten key of the apparatus (*para. 0008; Fig. 3 and paras. 0142-0143; the keys 31, 32, 33, and 34 known as the buttons*).

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Tanaka with the method of Epler in order to provide the function of fingers in which each finger of the ten fingers differentiates a plurality of keys to press the key (*para. 0038*).

7. **Claim 15 is rejected under 35 U.S.C. 103(a)** as being unpatentable over Epler et al., (“Epler”, US 6,026,156) in view of Eghtesadi et al., (“Eghtesadi”, US 6,243,682)

Regarding claim 15, Epler teaches the information processing apparatus according to claim 1, but does not explicitly disclose the information processing apparatus is a copying machine and the manipulation procedures correspond to setting functions for a copying operation of the copying machine.

However, Eghtesadi teaches universal access photocopier wherein the information processing apparatus is a copying machine (*col. 2, lines 24-64; Fig. 1, photocopier machine 18 known as copying machine*) and the manipulation procedures correspond to setting functions for a copying operation of the copying machine (*col. 1, lines 31-67 to col. 2, lines 1-6, a plurality of commands will be executed by user and a user can access by voice command any function from any screen; col. 2, lines 24-67 to col. 3, lines 1-4; Fig. 1*).

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Eghtesadi with the method of Epler in order to provide a user with a means for a help menu which uses the photocopier voice output to inform the user of specific information about different photocopier functions (*col. 2 lines 66-67 to col. 2, line 1*).

Response to Arguments

8. Applicants' arguments in the instant Amendment, filed 02/25/2009 have been fully considered but they are not persuasive.

Applicants argued the following:

Epler does not teach determining a designation of a user, wherein, when the user designates a selection between a start of voice information output of one manipulation procedure, and after the start of the voice information output of a subsequent manipulation procedure, the determination can be made that the one manipulation procedure is selected by the user.

The Examiner disagrees for the following reasons:

Epler does teach a determination unit which determines a designation of the user, wherein, when the user designates a selection between the start of voice information output of one manipulation procedure (*col. 10, lines 54-67 to col. 11, lines 1-14; ; Fig. 4B; wherein at least steps 206, 210 and 216-218; 'user touches 1? Y/N', 'user touches 2? Y/N'; the system allow user to listen, delete, or save messages*), and the start of the voice information output of a subsequent manipulation procedure, the determination unit determines that the one manipulation procedure is selected by the user (*Fig. 4B-4C; wherein at least steps 206-230 and 300-342; the system will be determined the program, which is corresponded with selection option from a user*).

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH K. PHAM whose telephone number is (571)270-3230. The examiner can normally be reached on Monday to Thursday from 7:30AM to 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doon Y. Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 7, 2009

/SY D. LUU/
Primary Examiner, Art Unit 2174

/Linh K Pham/
Examiner, Art Unit 2174